

Notice of Allowability

Application No.

10/728,365

Examiner

/Alan Cariasol/

Applicant(s)

BURTON, JOHN E.

Art Unit

2885

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11 June 2007.
2. ☒ The allowed claim(s) is/are 1-10, 12-17 and 22-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: Claims 1-10, 12-17 and 22-24 are allowable because none of the prior art of record suggests: a mounting bracket having a rear surface configured to stationarily mount to a vehicle, so as to define stationary in the stationary arms of the mounting bracket that extend frontwardly from one of the front surface and the side edges of the mounting bracket or therefrom, and the reflector is pivotally received by the stationary arms or the stationary arms dimensioned to pivotally receive the reflector, as claimed in claim 1 with depending claims 2, 3 and 12, and in claim 13 with depending claims 14 and 17, as opposed to the arms (29) of Caminetti which further pivot along with the mounting bracket (28,32,31) with respect to the vehicle, when the spotlight is adjusted; a mounting bracket having stationary arms extending forwardly therefrom, the stationary arms dimensioned to pivotally receive a reflector within the stationary arms and in combination with the aiming screw having a screw boss threaded thereon and the screw boss in communication with the reflector, such that rotation of the aiming screw causes the screw boss to move along the aiming screw resulting in a pivoting of the reflector, as claimed in claim 4 with depending claims 5-10, over the one arm boss seat (6) with pivot arm (16, fig.6) extending forwardly from fixed member or housing (2) of OHTSUKA et al; a mounting bracket having stationary arms extending forwardly therefrom, the stationary arms dimensioned to pivotally receive a reflector within the stationary arms and in combination with a screw boss threaded onto the aiming screw and slidably engaged to the mounting bracket where the screw boss slides along a guide rail extending from the

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mounting bracket, as claimed in claim 15 with depending claim 16, over the one arm boss seat (6) with pivot arm (16, fig.6) extending forwardly from fixed member or housing (2) of OHTSUKA et al; a unit having stationary arms extending forwardly therefrom which pivotally receive a reflector within the stationary arms and in combination with a screw boss engaged to the aiming screw, slidably engage to the rail of the mounting bracket, as claimed in claim 22 with depending claims 23 and 24, over the one arm boss seat (6) with pivot arm (16, fig.6) extending forwardly from fixed member or housing (2) of OHTSUKA et al. It is further noted that FILBRUN et al (US 6,550,948) shows a mounting bracket (14) having front and rear surface (fig.5) configured to stationarily mount to a vehicle and two arms pivotally receiving a reflector housing (12) therewithin, and an at least an aiming screw (52,54) as part of the adjuster, but does not have the claimed arranged reflector pivotally received by the stationary arms of the mounting bracket *after* the adjuster has been secured thereto or to the mounting bracket, but instead would require attaching the aiming screw to the reflector tab (24) not after the adjuster has been secured to the mounting bracket, because the aiming screw has head (52a) larger than the size of tab hole (26), allowing one insertable direction for securement.

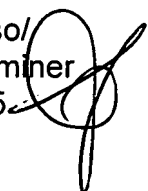
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan Cariaso whose telephone number is (571) 272-2366. The examiner can normally be reached on 9-5:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Lee can be reached on (571) 272-7044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alan Cariaso/
Primary Examiner
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June 20, 2007
AC